

Appl. No. 09/730,577  
Amendment dated July 27, 2005  
Reply to Office Action of April 27, 2005

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**REMARKS / ARGUMENTS**

Claims 1-5 remain pending in this application.

**35 U.S.C. § 103**

The present invention is directed to a method of transmitting a policy rule from a policy server to a network node that is connected to the policy server via a network. The policy rule describes a condition and an action. The newly entered policy rules are assigned an identifier. Policy rules existing in a repository that depend on the newly entered policy rule or on which the newly entered policy rule depends are detected, and the newly entered policy rule is transmitted with the assigned identifier to the network node. According to claim 1, if the detected policy rule has not been transmitted to the network node, the identifier thereof and the condition and the action described therein are transmitted with the newly entered policy rule to the network node; and if the detected policy rule has been transmitted with the newly entered policy rule to the network node, the identifier thereof is transmitted to the network node, but the condition and the action described therein are not transmitted. Further, as set forth in claim 1, as amended, the policy rule or the identifier at the network node are received and a code executable on the network node that is based on the transmitted policy rule or the identifier is generated. If the same code that is generated is in the network node, the already existing code is deleted or invalidated.

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Support for the amendment to claim 1 is provided in the specification, for example, at page 43, line 25 to page 44 line 2.

According to the present invention, the policy rule is reconstructed according to a new condition or action at the network node. If the network node has received the policy rule and the same execution code corresponding to a previously received policy rule exists, then it should be deleted. Accordingly, claim 1 relates to the operation of the network node with respect to receiving a policy rule.

Mohaban is directed to a computer system which involves creating policies for use in policy-based management of quality of service treatments of network data traffic flows. Accordingly, Mohaban is primarily directed to disclosing the transmitting

of policy rules by a computer, such as a policy server or network administrator.

Mohaban does not disclose the receiving of a policy rule or the identifier at a network node and the generating of a code executable on a network node based on the transmitted policy rule or the identifier, including deleting or invalidating the executable code if the same code is in the network node, as set forth in amended claim 1. Rather, Mohaban discloses a network node (208, 210 of Figure 2) and network terminals (211, of Fig. 2) used in a network without disclosing disclosing details of the operation of the network nodes with respect to the processing of receiving of policy rules. Therefore, Mohaban does not anticipate claim 1.

Each of claims 2-4 depend from claim 1. Accordingly, each of these claims is patentable over Mohaban, at least for the reasons set forth herein with respect to the

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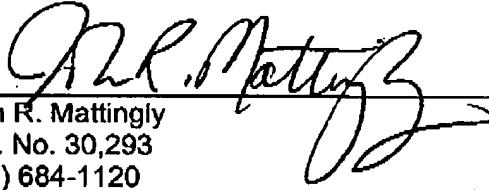
patentability of claim 1. Accordingly, the 35 USC 102(e) rejection of claims 1-5 should be withdrawn.

**Conclusion**

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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